

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

GOOGLE INC., AOL LLC, YAHOO! INC., IAC
SEARCH & MEDIA, INC., and LYCOS, INC.

AJR
E-FILING

v.

L. DANIEL EGGER, SOFTWARE RIGHTS
ARCHIVE, LLC, and SITE TECHNOLOGIES,
INC.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

C08 03172

RJ

TO: (Name and address of defendant)

SOFTWARE RIGHTS ARCHIVE, LLC, 485 Madison Avenue, New York, NY 10022

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Juanita Brooks
Jason W. Wolff
FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, CA 92130

Lee L H
8/19/08

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wiking

CLERK

JUL 01 2008

DATE _____

Tiffany Salinas-Harwell
(BY) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ^{DATE} August 19, 2008 @ 1:55 p.m.

Name of SERVER

Pat Herman

TITLE Process Server

Check one box below to indicate appropriate method of service

- Served Personally upon the Defendant. Place where served:

- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:

- Returned unexecuted:

- Other (specify): Delivered to Software Rights Archive, LLC by delivering to Lee L. Kaplan, Attorney @ 700 Louisiana , Suite 2300, Houston, Texas 77002

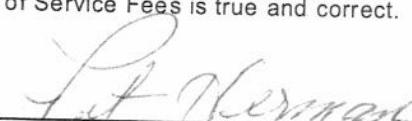
STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on August 19, 2008
Date



Signature of Server

3801 Kirby Drive, Suite 313
Houston, Texas 77002

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

1 Juanita R. Brooks (SBN 75934, brooks@fr.com)
2 Jason W. Wolff (SBN 215819, wolff@fr.com)
FISH & RICHARDSON P.C.
12390 El Camino Real
3 San Diego, CA 92130
Telephone: (858) 678-5070
4 Facsimile: (858) 678-5099

5 Jerry T. Yen (SBN 247988, yen@fr.com)
FISH & RICHARDSON P.C.
6 500 Arguello Street, Suite 500
Redwood City, CA 94063
7 Telephone: (650) 839-5070
Facsimile: (650) 839-5071

8 Attorneys for Plaintiffs
9 GOOGLE INC. and AOL LLC

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 GOOGLE INC., AOL LLC, YAHOO! INC., IAC
SEARCH & MEDIA, INC., and LYCOS, INC.,

Case No. CV 08-03172 RMW (RS)

15 Plaintiffs,

**CERTIFICATE OF SERVICE OF
SUMMONS, COMPLAINT AND OTHER
PLEADINGS ON DEFENDANT
SOFTWARE RIGHTS ARCHIVE, LLC**

16 v.

17 L. DANIEL EGGER, SOFTWARE RIGHTS
ARCHIVE, LLC, and SITE TECHNOLOGIES,
INC.,

18 Defendants.

Honorable Ronald M. Whyte
Courtroom 6, 4th Floor

21

22 I am employed in the Harris County of Texas. I am over the age of 18 and not a
23 party to the foregoing action.

24 I am a process server and on August 19th, 2008, I personally served a copy of the
25 following documents:

- 26 1. COMPLAINT FOR DECLARATORY RELIEF AND EXHIBITS A-G;
27 2. CIVIL COVER SHEET;
28 3. SUMMONS TO SOFTWARE RIGHTS ARCHIVE, LLC;

- 1 4. AO120 REPORT ON FILING OF ACTION RE PATENT;
- 2 5. IAC CERTIFICATE OF INTERESTED ENTITIES;
- 3 6. LYCOS CERTIFICATE OF INTERESTED ENTITIES;
- 4 7. YAHOO CERTIFICATE OF INTERESTED ENTITIES;
- 5 8. AOL CERTIFICATE OF INTERESTED ENTITIES;
- 6 9. GOOGLE CERTIFICATE OF INTERESTED ENTITIES;
- 7 10. IAC-LYCOS DECLINE TO PROCEED BEFORE MAG JDG AND REQUEST
REASSIGNMENT TO US DISTRICT JUDGE;
- 8 11. ORDER SETTING INITIAL CMC AND ADR DEADLINES;
- 9 12. STANDING ORDER FOR ALL JUDGES OF NDCA RE JOINT CASE
MANAGEMENT STATEMENT;
- 10 13. USDC-ND OF CA CONSENTING TO A MAG JDG IN NDCA;
- 11 14. USDC-ND OF CA PUBLIC NOTICE RE MAG JUDGE SEEBORG
EXPIRATION OF CURRENT TERM;
- 12 15. USDC-ND OF CA SFO GUIDELINES;
- 13 16. ORDER DIRECTING PLAINTIFFS IAC AND LYCOS TO FILE CONSENT-
DECLINE FORM RE MAG JDG;
- 14 17. NOTICE OF IMPENDING REASSIGNMENT TO USDC JUDGE – HEARING
DATES VACATED;
- 15 18. ORDER REASSIGNING CASE TO DISTRICT COURT JUDGE WHYTE AND
MAG JDG SEEBORG;
- 16 19. STANDING ORDER RE CASE MANAGEMENT IN CIVIL CASES FOR
JUDGES WHYTE AND SEEBORG – UNISSUED; and
- 17 20. STANDING ORDER RE: PRETRIAL PREPARATION.

22 upon Lee L. Kaplan, who I understand is authorized to accept service of process on behalf of
23 Defendant SOFTWARE RIGHTS ARCHIVE, LLC, at the following address:

24 Lee L. Kaplan
25 Smyser Kaplan & Veselka, L.L.P.
26 Bank of America Center
27 700 Louisiana, Suite 2300
28 Houston, TX 77002
 Attorneys for Defendant SOFTWARE RIGHTS ARCHIVE, LLC

1 My name and business address is: Pat Herman

2 Ducess Tecum, Inc.

3 3801 Kirby Drive, Suite 313

4 Houston, Texas 77098

5 I declare under penalty of perjury that the above is true and correct.

6 Dated: August 19, 2008



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8 [Signature of Process Server]
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